

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MONICA KURGAN and MADELINE DIAZ, on behalf of themselves and others similarly situated,]	Case No. 10-C-1899
]	
Plaintiffs,]	Honorable Robert M. Dow, Jr.
v.]	Magistrate Judge Arlander Keys
]	
CHIRO ONE WELLNESS CENTERS LLC,]	
]	
Defendant.]	
]	

**PLAINTIFFS' AMENDED MOTION
FOR COLLECTIVE & CLASS CERTIFICATION**

Plaintiffs Monica Kurgan and Madeline Diaz, on behalf of classes of similarly-situated persons employed by Defendant, respectfully request that this Court grant their motion to issue Notice under Section 216(b) of the Fair Labor Standards Act, 29 U.S.C. §216(b), and certify a class under the Illinois Minimum Wage Law under FED. R. CIV. P. 23(b)(3) and/or FED. R. CIV. P. 23(c)(4). In support of this Motion, Plaintiffs submit a memorandum of law and supporting evidentiary materials.

WHEREFORE, Plaintiffs Kurgan and Diaz request on behalf of themselves and all other persons similarly-situated, known and unknown, an Order:

- A. Authorizing Notice under 29 U.S.C. §216(b) to similarly situated current and former employees of this collective action;
- B. Certifying Plaintiffs' IMWL overtime wage claim under FED. R. CIV. P. 23(b)(3) and/or FED. R. CIV. P. 23(c)(4);
- C. Appointing Plaintiffs' Counsel as Class Counsel;

- D. Approving the proposed notice forms under the provisions of 29 U.S.C. §216(b) and FED. R. CIV. P. 23; and
- E. Granting such other relief as the Court deems appropriate under the circumstances.

Dated: **August 26, 2013**

Respectfully submitted,

/s/ James A. Jones

One of the Attorneys for Plaintiffs

Richard J. (Rex) Burch
Texas Bar No. 24001807
James A. Jones
Texas Bar No. 10908300
BRUCKNER BURCH PLLC
8 Greenway Plaza
Suite 1500
Houston, Texas 77046
Telephone: (713) 877-8788
Telecopier: (713) 877-8065

Douglas M. Werman
Werman Law Offices, PC
77 W. Washington St., Suite 1402
Chicago, Illinois 60602
Telephone: (312) 419-1008

James B. Zouras
Stephan Zouras, LLP
205 N. Michigan Avenue, Suite 2560
Chicago, Illinois 60601
212-233-1550
312-233-1560 f